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6 IN THE UNITED STATES DISTRICT COURT
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8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 UNITED STATES OF AMERICA. No. CR 14-0306 WHA

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11 Plaintiff

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13 LUKE BRUGNARA,

14 Defendant.

**ORDER RE DEFENDANT'S
PRO SE "RULE 36 MOTION
TO CORRECT RECORD"**

Assuming, without deciding, the undersigned has jurisdiction over defendant's "Rule 36 motion to correct record" (Dkt. No. 823), this order **DENIES** the motion inasmuch as it is filed *pro se*, and not by his counsel. Additionally, Rule 36 is for the correction of clerical errors, while defendant purports to raise substantive arguments for reducing his sentence. The proper rule for a motion to reduce a sentence is Rule 35, but that rule only authorizes a sentence reduction "[u]pon the government's motion." The government has made no such motion.

23 || IT IS SO ORDERED.

25 || Dated: April 13, 2017.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE